

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

CHARLES RAY McNABB

PLAINTIFF

V.

CIVIL NO. 5:16-CV-05203

NURSE TYRANNY RAY;  
NURSE VANESSA BALFOUR;  
NURSE PATRICIA DAVIS; and  
NURSE PEGGY CHANEY

DEFENDANTS

OPINION AND ORDER

This is a civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff proceeds *pro se* and *in forma pauperis*. On October 5, 2017, the Defendants filed a Motion for Summary Judgment (Doc. 44). That same day, an Order (Doc. 47) was entered directing Plaintiff to file a response to the Summary Judgment Motion by October 19, 2017. Plaintiff was advised that failure to comply with the Order would subject the case to dismissal.

To date, Plaintiff has not filed a response or an extension of time to file the response. No mail has been returned as undeliverable. Plaintiff has not communicated with the Court in any way. For these reasons, **IT IS ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE** for failure to obey an order of the Court and failure to prosecute this action, pursuant to Fed. R. Civ. P. 41(b).

IT IS SO ORDERED on this 27<sup>th</sup> day of October 2017.



TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE